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VIA ELECTRONIC FILING

Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

DOCKET FILE COPY ORIGINAL

Re: *Joint Application for Grant of Authority to Transfer Ownership and Control of Inmate Calling Solutions, LLC d/b/a ICSolutions to Securus Technologies, Inc.,*
WC Docket No. 18-193

Dear Secretary Dortch:

I write these reply comments to express my opposition to the proposed transfer of ownership and control of Inmate Calling Solutions, LLC, doing business as ICSolutions, ("ICSolutions") to Securus Technologies, Inc. ("Securus"). The proposed transfer threatens competition in the nationwide inmate calling services ("ICS") market. *See* Petition to Deny, filed by The Wright Petitioners, *et al.*, on July 16, 2018 ("Petition to Deny"); Comments, filed by Corrections Accountability Project, on July 16, 2018 ("CAP Comments"). In addition, it threatens competition in the Massachusetts ICS market at a time when Securus is seeking to avoid any Massachusetts regulatory oversight of its rates and practices. Following many years of exorbitant and unfair charges imposed on inmate calling services, it is abundantly clear that we need more competition and oversight from the FCC and the states, not less.

Securus is the largest ICS contractor in Massachusetts and holds ICS contracts with the Massachusetts Department of Correction and nine of the county sheriff offices in the state. By comparison, GTL holds three ICS contracts with county sheriff offices, and ICSolutions holds one contract with Hampshire Sheriff's Office. The acquisition of ICSolutions by Securus leaves the Commonwealth with only two ICS contractors—the same two that constitute the nationwide duopoly identified in the Petition to Deny. Leaving Massachusetts with only this duopoly will further weaken our state's ability to negotiate for calling rates affordable for inmates and their families, who bear the burden of these costs.

Maintaining a competitive bidding process is even more necessary for Massachusetts because Securus has wrongly asserted that the Massachusetts Department of Telecommunications and Cable ("DTC") does not have authority to regulate its intrastate calling rates. The company's position demonstrates the importance of maintaining competition in the bidding process as a check on Securus's ability to raise rates. Competition also is one of the few

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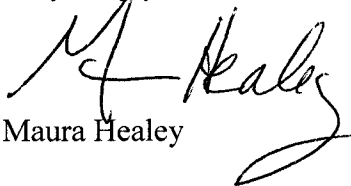
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constraints on Securus's ability to impose contract provisions that are squarely against Massachusetts' public policy interests.¹

This Commission recognizes the weak competitive pressures in the ICS market,² while also recognizing the importance of affordable calling in maintaining strong family and community connections that are vital to successfully reentry of incarcerated persons and reducing recidivism.³ Further consolidation of this already-consolidated market⁴ serves none of our shared goals. This proposed transfer is not in Massachusetts' interest and—as the Petition to Deny and CAP Comments demonstrate—not in the national public interest.

I urged and applauded the Commission's work in trying to reform and regulate the ICS industry.⁵ I now urge the Commission to continue its commitment to inmates, their families, and public safety by rejecting the proposed transfer of ICSolutions to Securus.

Very truly yours,



Maura Healey

¹ For example, Securus had a practice of extracting promises from contracting facilities to ban all in-person visits between inmates and families, which then forced the inmates and their families to use—and pay for—Securus's video conferencing services. See National Public Radio, *Video Calls Replace In-Person Visits in Some Jails* (Dec. 5, 2016), available at <https://www.npr.org/2016/12/05/504458311/video-calls-replace-in-person-visits-in-some-jails>.

² *Rates for Interstate Inmate Calling Services*, 80 Fed. Reg. 79,136 (Dec. 15, 2015).

³ *Id.*; see also *Global Tel*Link v. Federal Communications Commission*, 866 F.3d 397, 405 (D.C. Cir. 2017) (quoting the Commission's brief: "[e]xcessive rates for inmate calling deter communication between inmates and their families, with substantial and damaging social consequences").

⁴ See *Global Tel*Link*, 866 F.3d at 404; 80 Fed. Reg. at 79146; Prison Policy Initiative, *Prison Phone Giant GTL Gets Bigger, Again* (Aug. 28, 2017), available at <https://www.prisonpolicy.org/blog/2017/08/28/merger/>; see also Petition to Deny, at Ex. A.

⁵ Letter from Maura Healey to Commission, *In the Matter of Rates for Interstate Inmate Calling Services*, WC Docket No. 12-375 (Oct. 26, 2015).